

Public Services – PR&RD Department – Sri K. Kurmaiah, former Panchayat Secretary, Gram Panchayat Lingasanipally, Bijinepally Mandal, Mahabubnagar District, now retired – Committed certain irregularities in distribution of ISL rice – Enquiry conducted – Charges held Proved – Dismissed from service – Approached APAT – Reinstated into service pending finalization of disciplinary proceedings – Re-enquiry conducted – Enquiry Report submitted – Enquiry Report communicated – Show cause notice issued – Explanation received – Imposing a penalty of 50% cut in pension for a period of (3) years under Rule 9 of TRP Rules, 1980 – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.II) DEPARTMENT

Dated: 25-04-2017

1. Procs.No.B1/885/2006-A6-4, Dt.23.06.2008 of the District Collector (PW), Mahabubnagar District.
2. Order dt.07.12.2010 of the Hon'ble APAT in O.A.No.1586 /2009 filed by Sri K. Kurmaiah, Panchayat Secretary (under dismissal), Mahabubnagar.
3. Govt.Memo.No.18383/Vig.III/2008-18, Dt.20.06.2011.
4. Govt.Memo.No.18383/Vig.III/2008-21, Dt.14.10.2011.
5. From the District Collector (PW), Mahabubnagar District, Lr.No.B1/835/2006-A6, Dt.03.07.2015 along with enquiry report.
6. Govt.Memo.No.18383/Vig.II/A2/08-26, Dt.02.04.2016.
7. Reprn. of Sri K. Kurmaiah, Pt. Secy., (Retd.), GP Lingasanipally, Binanepally (M), Mahabubnagar District, Dt.10.12.2015.
8. Govt.Memo.No.18383/Vig.II/A2/2008-27, Dt.27.09.16.
9. Reprn. of Sri K. Kurmaiah, Pt. Secy. (Retd.), GP Lingasanipally, Nagarkanoor District, Dt. Nil.
10. Govt.Lr.No.18383/Vig.II/A2/2008-28, Dt.02.11.2016.
11. From the Secretary, TSPSC, Hyderabad, Lr.No.712/RT/TSPSC/2016, Dt.14.04.2017.

ORDER:

In the reference 1st read above, the District Collector (PW), Mahabubnagar has imposed a major penalty of dismissal from service against Sri K. Kurmaiah, former Panchayat Secretary, Gram Panchayat Lingasanipally, Bijinepally Mandal, Mahabubnagar District, besides recovery of misappropriated amount, for the irregularities committed by him in distribution of ISL rice.

2. In the reference 2nd read above, the Hon'ble A.P. Administrative Tribunal, Hyderabad, in its order dated.07.12.2010 in O.A.No.1558/2009 filed by Sri K. Kurmaiah, Panchayat Secretary (dismissed), set aside the dismissal orders and directed that this order does not preclude the authorities to proceed in consonance with the rules.

3. Accordingly, in the reference 3rd read above, the District Collector (PW), Mahabubnagar District was requested to conduct fresh enquiry against Sri K. Kurmaiah, Panchayat Secretary (dismissed), GP Lingasanipally, Bijinepally Mandal, Mahabubnagar District, for the irregularities committed in distribution of ISL rice, duly following the procedure prescribed under APCS (CC&A) Rules, 1991.

4. In the reference 4th read above, Government have issued orders reinstating Sri K. Kurmaiah, Panchayat Secretary (dismissed), Gram Panchayat Lingasanipally, Bijinepally Mandal, Mahabubnagar District, into service pending finalization of disciplinary proceedings contemplated against him.

5. In the reference 5th read above, the District Collector (PW), Mahabubnagar District has forwarded the enquiry report submitted by the Chief Executive Officer, ZPP Mahabubnagar in respect of Sri K. Kurmaiah, former Panchayat Secretary, Gram Panchayat Lingasanipally, Bijinepally Mandal, Mahabubnagar District, now retired and requested to take necessary action in the matter and issue suitable orders as per rules.

(PTO)

6. Government after careful examination of the Enquiry Report, have agreed with the findings of Enquiry Officer and communicated a copy of the enquiry report to Sri K. Kurmaiah, former Panchayat Secretary, Gram Panchayat Lingasanipally, Bijinepally Mandal, Mahabubnagar District, now retired, under Rule 21(2) of Telangana Civil Services (Classification Control & Appeal) Rules, 1991 vide ref.6th read above. The Charged Officer has submitted his representation requesting to drop further action against him vide reference 7th read above.

7. Government, after careful examination of the entire matter, have provisionally decided to impose a penalty of 50% (fifty percent) cut in pension for a period of 3 (three) years against Sri K. Kurmaiah, former Panchayat Secretary, GP Lingasanipally, Bijinepally Mandal, Mahabubnagar District, now retired, under Rule 9 of Telangana Revised Pension Rules, 1980.

8. Accordingly, in the ref.8th read above, a show cause notice was issued to Sri K. Kurmaiah, former Panchayat Secretary, Gram Panchayat Lingasanipally, Bijinepally Mandal of Nagarkurnool District, now retired, for calling his explanation as to why a penalty of 50% (fifty percent) cut in pension for a period of three (3) year shall not be imposed on him under Rule 9 of Telangana Revised Pension Rules, 1980. The Charged Officer has submitted his representation requesting to reduce the punishment to that of 20% cut in pension for a period of 1½ year. After examining the same Govt. have decided to confirm the provisional decision i.e. to impose a penalty of 50% (fifty percent) cut in pension for a period of three (3) year on the Charged Officer.

9. In the reference 10th read above, the Secretary, Telangana State Public Service Commission (TSPSC), Hyderabad was requested for concurrence on the above decision of the Government and the Secretary, TSPSC, Hyderabad has stated that the Commission conveyed its concurrence with the proposal of the Government to impose a penalty of 50% cut in pension for a period of (3) years against the Charged Officer Sri K. Kurmaiah, former Panchayat Secretary, GP Lingasanipally, Bijinepally Mandal, Nagarkurnool District, now retired, and advised accordingly, vide reference 11th read above.

10. Government after careful examination of the matter and having regard to the circumstances of the case, have decided and hereby impose a penalty of 50% (fifty percent) cut in pension for a period of three (3) years on the Charged Officer Sri K. Kurmaiah, former Panchayat Secretary, Gram Panchayat Lingasanipally, Bijinepally Mandal, Nagarkurnool District, now retired, under Rule 9 of Telangana Revised Pension Rules, 1980.

11. The District Collector (PW), Nagarkurnool District shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

S.P. SINGH
Chief Secretary to Govt. &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

The Individual through the District Collector, Nagarkurnool.

The District Collector, Nagarkurnool.

Copy to:-

The Commissioner, Panchayat Raj & Rural Employment, Hyderabad.

The District Panchayat Officer, Nagarkurnool.

The Vigilance Commissioner,

Telangana Vigilance Commission, Hyderabad.

The Secretary, T.S. Public Service Commission, Hyderabad.

SF/SC.

// FORWARDED BY :: ORDER //

SECTION OFFICER.